

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

MARYLAND SHALL ISSUE, INC., *et al.*,

Case No.: 485899V

Plaintiffs,

vs.

EXPEDITED HEARING REQUESTED

MONTGOMERY COUNTY, MARYLAND,

Defendant.

**PLAINTIFFS' CONSENT MOTION FOR A POSTPONEMENT
OF THE MAY 23, 2022 HEARING**

Plaintiffs hereby respectfully move this Court for an order postponing the hearing currently scheduled for May 23, 2022 in the above-captioned matter. Defendant, Montgomery County, Maryland, consents to this motion. As set forth in the parties prior Joint Motion for additional time, filed on April 28, 2002, and in plaintiffs' motion for clarification, filed May 19, 2022, the parties are agreed that plaintiffs' motion for summary judgment should be heard at the same time as defendant's pending motion to dismiss and alternative motion for summary judgment. To perfect the record, plaintiffs have filed a renewed motion for summary judgment that simply incorporates the pleadings filed to date, thereby obviating the need for further briefing. The parties remain in agreement that the time allocated for hearing on these motions should be one hour in duration. Plaintiffs hereby reiterate plaintiffs' alternative motion for expedition, filed May 19, 2022.

CONCLUSION

For all the foregoing reasons, this Court should postpone the May 23, 2022 Hearing until such date as the Court is prepared to hear **both** plaintiffs' motion for summary judgment **and** defendant's motion to dismiss and for summary judgment, and the respective oppositions, at the same time. This Court should grant plaintiffs' pending motion for expedition for a hearing on all these pending and schedule a hearing and issue a decision on plaintiffs' motion and defendant's motions as soon as possible.

Respectfully submitted,

/s/ Mark W. Pennak

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Dated: May 20, 2022

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vs.

MONTGOMERY COUNTY, MARYLAND,

Defendant.

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on May 20, 2022, a copy of the foregoing Plaintiffs' Consent Motion For A Postponement Of The May 23, 2022 Hearing was served on the following counsel for defendant Montgomery County via the MDEC e-filing system:

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/s/ Mark W. Pennak

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CONSENT ORDER

Upon consideration of plaintiffs' consent motion for a postponement of the May 23, 2022 Hearing scheduled in this matter, it is this

_____ day of _____, 2022, by the Circuit Court for Montgomery County hereby,

ORDERED, that plaintiffs' consent motion is granted and a hearing on plaintiffs' renewed motion for summary judgment and defendant's motion to dismiss and alternative motion for summary judgment will be scheduled for one hour at such time and date when the Court is prepared to hear both plaintiffs' motion for summary judgment and defendant's motion to dismiss and for summary judgment, and the respective oppositions, at the same time.

Judge, Circuit Court for
Montgomery County, Maryland

cc: All Parties of record.

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on May 20, 2022, a copy of the foregoing proposed Consent Order was served on the following counsel for defendant Montgomery County via the MDEC e-filing system:

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